

CITY OF SOMERSWORTH, NH
MINUTES OF CITY COUNCIL MEETING
FEBRUARY 19, 2013
7:00 P.M.

The meeting was called to order by His Honor, the Mayor, and upon roll call the following Council members were present: Pepin, Soldati, Hebert, McCallion, Donohue, Tapscott, Witham and Sprague.

MINUTES OF THE PREVIOUS MEETING.

MINUTES OF 02/04/2013 PRESENTATION BY UNDERWOOD ENGINEERS-
BLACKWATER ROAD PUMPING STATION EVALUATION.

Councilor Witham, seconded by Councilor Pepin, made a motion to accept these minutes as written. The motion passed.

MINUTES OF 02/04/2013 PUBLIC HEARING-ORDINANCE NO. 8-13.

Councilor Tapscott, seconded by Councilor Hebert, made a motion to accept these minutes as written. The motion passed.

MINUTES OF 02/04/2013 CITY COUNCIL MEETING.

Councilor Tapscott, seconded by Councilor Pepin, made a motion to accept these minutes as written. The motion passed.

COMMENTS BY VISITORS.

John Gregoire, Ward 5, came to ask for storage containers again this year, behind the Hilltop Fireworks building, from April 1st to August 1st. They got approval from the Zoning Board. There were no incidents. They do not have to return to the Zoning Board for approval this year and he is hoping they can do the same thing here, so that they don't have to come back every year for the same issue.

ANNOUNCEMENTS BY CITY COUNCILORS

Councilor Soldati said that she loves this opportunity to make an announcement. She reminds the Council and Chamber of Commerce members that on Monday, February 25th, from 6-7:30 pm, the tri-Chambers of Somersworth, Dover and Rochester are hosting a legislative reception for all elected officials at the state, city or county level. All are welcome to attend at the Frisbie Memorial Community Education and Conference Center. "Clear your calendars, Councilors"; she hopes to see you there.

COMMUNICATIONS.

There were no communications.

PRESENTATION OF PETITIONS AND DISPOSAL THEREOF BY REFERENCE OR OTHERWISE.

There were no petitions.

MAYOR'S REPORT.

MAYOR'S Report of Monday, February 19, 2013

- February 8th- Attended Public Service of New Hampshire presentation in Portsmouth.
- February 13th- Attended the New Hampshire Municipal Association (NHMA) Communications/Outreach Committee meeting.
- February 15th- Attended the combined meeting of the board of directors for both the NHMA and the Committee on Governmental Affairs.

REPORTS OF STANDING COMMITTEES.

GOVERNMENT OPERATIONS

Councilor Tapscott reported that the Committee met on February 15th. He said that consensus was *not* to add the legislative comments to Council Rules and Regulations because the access to Channel 22 is not intended to be partisan. They discussed City Council salaries: penalties if not in attendance and possible future increases. They discussed the Library Trustees and will not address this issue now. They did not reach consensus regarding HB-617.

PUBLIC WORKS AND THE ENVIRONMENT

Councilor Sprague said that Public Works met on February 12th. They approved past minutes and talked about two action items: City Contract Engineer, Mr. Ducharme, put together some cost estimates for the High Street de-lamination repair bid specs and also the project on Interstate Drive. Mr. Sprague commented that hopefully he will not be the lowest bidder. The High Street repaving project came in lower than he thought at \$345,000 to take off 2" of the pavement and then replace; there is a \$16,000 contingency fund which includes striping, which they don't need to do because it will be included... Traffic control was about \$40,000. Public Works brought up some things that they might want to think about addressing at the same time which added up to about \$70,000; a couple of hydrants and valves. It is estimated that the de-lamination part will take about two weeks but they will probably not be able to start until July 1st because it will be a new fiscal year. He said they may be able to do improvements before that time so that on July 1st they can get the pavement right down. It will be up to Council whether to just do

the pavement or to include a little bit of drainage, water and sewer. The Council put Interstate Drive on the books; they just haven't gotten to it. That project and Rocky Hill Road were on hold until they got some better estimates. That project is around \$27,500, but Public Works has drainage/water issues that should probably be addressed at the same time for around \$17,000.

The Committee also talked about a drop-off center at the highway barn for construction debris. Mr. Sprague said they may need to expand hours, maybe on a Saturday; it will come down to manpower and they will need to determine fees. They will have to tread lightly and then see if there is any abuse of it. Maybe they will have the permits sold at the Planning Department to check to see if there is a building permit.

Councilor Witham questioned waiting until July 1st, if it is only funding, he is willing to tap the fund balance.

City Manager Belmore said that there would be options when the bids are in.

Councilor McCallion asked when the plants are open to get some temporary patch down.

Councilor Sprague thought we had made the decision to wait and not to patch it.

Councilor McCallion wants it done as soon as possible, saying that July is unacceptable.

Councilor Sprague questioned whether they should go down as far as Bartlett Avenue, he agrees but does not believe in redoing it just to redo it.

Councilor Soldati stated, as a member of the Finance Committee, that they were trying to be smart with their money; there is no point in spending money twice by doing it now. She thought that the Council had concurred with their conclusion that they put it off until warmer weather but she believes it should be done before it gets that warm- in spring- late April, early May.

City Manager Belmore said that bid packages should be ready next week; they can go out to bid and then be back to Finance and then Council.

REPORTS OF SPECIAL COMMITTEES, CITY OFFICERS AND CITY MANAGER.

SCHOOL BOARD

Councilor Pepin said that the School Board is presenting their budget this evening with an increase of \$650,000. Board members Cowan and Perkins are both out on medical leave. Mr. Pepin said that the Chair will appoint temporary members for the Building and Grounds Committee so that they can vote

SUSTAINABILITY COMMITTEE

Councilor Soldati announced that the Sustainability Committee will meet on February 21st at 6 pm in Council Chambers.



CITY OF SOMERSWORTH

Office of the City Manager

TO: Mayor Matthew Spencer and City Council Members

FROM: Robert M. Belmore, City Manager

DATE: Friday, February 15, 2013

**SUBJECT: City Manager's Report for Tuesday February 19, 2013
City Council Agenda**

5:30 p.m. City Council Workshop

High Street Infrastructure Bond Project

HTA Engineers, Nelson Thibault, Bill Davidson and John Jackman as well as VHB Engineer, Greg Bakos will be attending. HTA will present.

6:45 p.m. Public Hearing

Ordinance No. 9-13 Adopt New Chapter 31 Community Revitalization Tax Relief Incentive

Director Dave Sharples will provide a brief overview of RSA 79-E.

Unfinished Business (under Section 13 of Agenda)

Ordinances

- A. Ordinance No. 9-13 Adopt New Chapter 31 Community Revitalization Tax Relief Incentive.** The Economic Development Committee is recommending its adoption.

Resolutions

- A. Resolution No. 24-13 To Authorize the City Manager to Order One Police Cruiser which will be Funded in the Fiscal Year 2013-2014 Budget.** Reminder:

The Public Safety Committee is sponsoring support for this action item. City Council passed a similar Resolution last year. If approved, the City will be able to order the new cruiser to ensure a more timely delivery once the Fiscal Year 2014 Budget is passed. We utilize the NH State Bidding Process for our cruiser purchases.

New Business (under Section 14 of the Agenda):

Resolutions

- A. Resolution No. 25-13 The City Council of the City of Somersworth Supports increasing in the Road Toll, Increasing the Vehicle Registration Fee and Establishing the New Hampshire State and Municipal Road and Bridge Account, As Proposed by the New Hampshire Legislature in HB-617.**
Councilor Sprague is the sponsor.

City Manager's Items (under section 9 of the Agenda)

A. Informational Items:

- 1. Superfund Landfill Site Monitoring Costs.** As has been the practice, I will be signing (without objection) the attached contract for proposed monitoring work to be done by GeoSyntec Consultants as being required by the EPA for FY 2013-2014. This Remedial Action Services contract outlines our compliance obligations in accordance with the existing EPA Consent Decree and Record of Decision (ROD).
- 2. City ISO Rating.** Attached is a copy of Chief Hoyle's explanation regarding the results of our recent fire insurance rating. This rating is conducted approximately every 15 years. The City's ISO rating is a "4" which places us in the top 15% Nationally and top 13% in New Hampshire.
- 3. State of the City Address.** In accordance with the City Charter, the Mayor and School Board Chairman have scheduled a joint meeting prior to the City Council's regular meeting on March 4th, starting at 5:30 p.m. for the State of City Address.

A. Attachments:

- 1. City Attorney Certifications (3)**
- 2. Department Head Monthly Reports**

3. City Manager's memo on Public Works Committee meeting handout on High Street delamination repair.

Note: City Manager Belmore asked Council to add the following item under New Business: Discussion/vote/permission to allow Comcast to expand into the Malley Farm area with use of the existing conduit.

NOMINATIONS, APPOINTMENTS AND ELECTIONS.

There were no nominations, appointments or elections.

LAY ON TABLE.

There is nothing on the table.

UNFINISHED BUSINESS.

ORDINANCES

ORDINANCE NO. 9-13 ADOPT NEW CHAPTER 31 COMMUNITY REVITALIZATION TAX RELIEF INCENTIVES.

Councilor McCallion said that this has gone through the Planning Board and the Economic Development Committee has been working on it for a couple of years. The bottom line- it spurs growth, it will all come before us if it were to take place so he urges everyone to vote in favor (of it.)

Councilor Witham appreciates the public input earlier this evening. It has been vetted quite thoroughly which speaks volumes as to the value of this particular ordinance. He likes the banner that this raises for the City, saying that we are interested in the downtown and helping the business community; we believe and want to try hard and it dovetails nicely with the road project. It means something and ...he supports it.

Ordinance No. 9-13 passed 8-0, (Jarvis absent.)

RESOLUTIONS

RESOLUTION NO. 24-13 TO AUTHORIZE THE CITY MANAGER TO ORDER ONE POLICE CRUISER WHICH WILL BE FUNDED IN THE FISCAL YEAR 2013-2014 BUDGET.

Councilor Witham said that this resolution would allow the Police Department to order a cruiser sooner rather than later, so that when we appropriate the money, the cruiser is ready. For a lot of practical reasons, he and the Public Safety Committee support this.

Resolution No. 24-13 passed 8-0. (Jarvis absent.)

NEW BUSINESS.

RESOLUTIONS

RESOLUTION NO. 25-13 THE CITY COUNCIL OF THE CITY OF SOMERSWORTH SUPPORTS INCREASING IN THE ROAD TOLL, INCREASING THE VEHICLE REGISTRATION FEE, AND ESTABLISHING THE NEW HAMPSHIRE STATE AND MUNICIPAL ROAD AND BRIDGE ACCOUNT, AS PROPOSED BY THE NEW HAMPSHIRE LEGISLATURE IN HB-617 .

Somersworth, NH
February 19, 2013

WHEREAS, the sponsors of HB-617 submitted said proposals for the New Hampshire legislative bodies to act upon, and

WHEREAS, the proposed increase in the current road toll will increase totaling \$.12 cents per gallon by the year 2015 for gasoline and year 2018 for diesel fuel, and

WHEREAS, the proposed increase in all vehicle registration fees will increase \$5.00 per year for three years in each weight class accordingly, and

WHEREAS, proposing the establishment of a separate account in the highway fund called the New Hampshire municipal road and bridge account to be used exclusively for the construction, reconstruction, and maintenance of state and municipal roads and bridges, and

WHEREAS, this new account shall consist of funds attributable to all road toll revenue collected in excess of \$.18 cents per gallon and all increases over the 2012 rates of vehicle registration fees, and

WHEREAS, in each fiscal year the Department of Transportation Commissioner shall allocate an amount not less than 12 percent of the estimated road toll revenue and motor vehicle fees to be collected to a local highway aid fund, and

WHEREAS, the City Council of the City of Somersworth is concerned about the downshifting of cost by the State of New Hampshire that has previously occurred in reducing the amounts of block grant aid given to communities and the impact those increases have had on the taxpayers of the City of Somersworth,

NOW, THEREFORE, BE IT RESOLVED;

That the City Council of the City of Somersworth supports the revenue creating measures and their intended uses brought forth in HB-617 and respectfully requests that the New Hampshire Legislature and Governor work diligently towards passage.

Introduced by Councilor

Dale R. Sprague

Note: Both David Witham and Jon McCallion asked to be added as sponsors to this resolution.

Mayor Spencer said that this will lay on the table until the next meeting.

OTHER:

DISCUSSION/VOTE/PERMISSION TO ALLOW COMCAST TO EXPAND INTO THE MALLEY FARM AREA WITH THE EXISTING CONDUIT. DISCUSSION REQUESTED BY THE CITY MANAGER.

Councilor Pepin said that this goes back to the early 1980's, conduit was laid for all of the utilities going in, a 4 inch conduit was installed for municipal fire alarm cable. That conduit is not being used because most all fire communications are now done through the phone lines. It is conduit that is accessible for cable to be installed, so his understanding is that the City Manager would like permission to have (Comcast) research it to see if they can use that 4 inch conduit.

City Manager Belmore said he had a meeting today and in order to finalize a cost to get (Cable) service into that park, they need to do some exploration to see if it is in the right location, to see that the conduit hasn't collapsed, they need a letter of permission from the City to do that exploratory work. If it is feasible, he'd like to know how the Council feels about transferring it over to the Comcast agency. His feeling is that it would benefit business owners and the community; he would be more inclined to just give it to them since (the City is) not using it. He would like a sense from the Council. That would not preclude them from taxing the wires. He needs permission to write a letter and if it works out, to make an agreement to transfer ownership over to them.

Councilor Soldati explained that Malley Farm businesses have never had internet access through cable. She was horrified when she learned that and it made her wonder how many businesses chose not to locate there because of that issue. She is very happy that they are looking at ways to ameliorate the situation. She wholeheartedly supports any measures the City Manager wants to take including just letting them take it.

Councilor Sprague thought that it was because of the tracks. ...He said that that was our project to begin with and we really dropped the ball. He said Councilor Soldati raised a great point that he had not even thought of about the businesses. He said that if a private developer came in, there would be no way that would pass the Planning Board without

those services. You have to have them. He thinks they owe it to the businesses out there and he wants to give the City Manager whatever power he needs to help them because we, as a City, dropped the ball. We need to go by the same standards the developers do.

Councilor Tapscott whole-heartedly supports this. He made a motion, seconded by Councilor McCallion, to allow the City Manager to sign documents to investigate the conduit... The motion passed unanimously.

COMMENTS BY VISITORS.

Real Roseberry asked about having wires placed underground in the downtown project.

CLOSING COMMENTS BY COUNCIL MEMBERS.

Councilor Witham responded to Mr. Roseberry's question, saying that it was simply cost, saying that a conservative estimate was \$1M (+) to put the lines underground.

Mr. Witham mentioned the Superfund landfill site, which was mentioned in the City Manger's report. It is an important point to bring forward, he said. This is the type of project that you need to leave in the hands of a firm that has dealt with it. GeoSyntec has the pulse of what is going on, to try to have another environmental firm come up to speed on all the particulars there would certainly cost us more money and probably have less accurate results; he supports continuing with them for the monitoring of the Superfund landfill site.

Mr. Witham thanked Mr. Gregoire because that issue had fallen off his radar screen. He wondered what the timeline was and he will give it some thought, as to why (storage) might not (just be allowed.)

He remarked on the High Street project saying he had been dissuaded from spending money in the short term, for a number of very good reasons, but one of those reasons was not to wait until July 1st to fix the road. He agrees with Councilor Soldati that the road needs to be fixed as soon as the birds chirp in the spring: it cannot wait. ...He will request an agenda item for the next meeting that the City Manager and the Finance Director prepare funding proposals based upon the cost estimates.

FUTURE AGENDA ITEMS.

Councilor Witham requests that the High Street de-lamination repairs be on the next meeting's agenda with some proposed funding strategies by the City Manager.

City Manager Belmore said, with all due respect, that until they get the bids in, they are hard pressed to give a concrete funding option. ... He said that they might be able to get it done by the second meeting in March.

Councilor Witham said he would ask for that agenda item for the second meeting in March.

Councilor Sprague thinks that they will also need to talk about whether to do the other repairs (\$70,000): he thinks they can do that without having a bid come back. They can be doing those improvements right away.

Councilor Witham's opinion is to do it right the first time around. No short cuts!

City Manager Belmore thinks we need to bids, so they will come back with a complete package, including the Interstate Drive project.

NONPUBLIC SESSION (AS NECESSARY, PENDING ROLL CALL VOTE BY COUNCIL).

There was no nonpublic session.

ADJOURNMENT.

Councilor Tapscott, seconded by Councilor Pepin, made a motion to adjourn. The meeting adjourned at 7:45 pm.

Respectfully submitted,

Elise B. Brelis, Deputy City Clerk

CITY OF SOMERSWORTH
CITY COUNCIL WORKSHOP
February 19, 2013
5:30 P.M.

HIGH STREET INFRASTRUCTURE BOND PROJECT

Mayor Spencer opened the Workshop. The following Councilors were in attendance: Pepin, Soldati, Hebert, McCallion, Donohue, Tapscott, Witham and Sprague.

Nelson L. Thibault, William R. Davidson and John J. Jackman, from Hoyle, Tanner Associates, Inc. were also present, as was Gregory L. Bakos from VHB. for the Transportation Enhancement Project.

Mr. Davidson took the lead, saying that they would like feedback from the Council-including existing vs. proposed parking. He mentioned a possible reduction of 8 spaces. After a question from Councilor Witham about the option of night work, he answered that night work can be helpful in not disrupting businesses, but which, on the other hand, residents might not like. He said it is a balancing act.

He said that they need isolation valves to be replaced so that they can shut off areas as needed. There will be new hydrants along the whole section. Work on the sewer will make it "virtually new", he said. He said there will be double stacked catch basins to alleviate most water crossing High Street and they will reduce areas of flooding down Washington Street. There will be a tie-in on Main Street.

Councilor Witham asked about the locations of drainage discharge and whether there are federal requirements. Apparently there are not requirements yet and they do not believe the state would require updates based upon this project. He said there will be 4 foot deep sumps on all catch basins.

Mr. Davidson specifically asked for feedback about the angled parking by the City Hall, which is "sub-standard" as far as size of parking spots is concerned, and is also dangerous for those pulling back out into traffic, as well as near the intersection with Main Street. There will be a complete signal upgrade at the High Street/Washington Street intersection.

There are areas where they will remove trees that are affecting the sidewalks and roads now. They will be looking at the grading of the road, as the majority of High Street does not have a normal crown.

Councilor Witham favors bump outs for safety reasons. He and Councilor Sprague indicated that they want curbed bump outs but there was some discussion about the preferability of painted bump outs for road clearing by Public Works.

Councilor Sprague would like to see wider sidewalks, thinking, too, that parallel parking would be more inviting for businesses.

Councilor Witham wondered which business owners would prefer.

Councilor Soldati suggested parallel spots that you could back into, but went on to say that her vision would be to have no cars (parked) there, and have it be a pedestrian walkway.

The expectation is that parallel parking would add ten feet to the width of the sidewalks.

The location of the monument would be raised.

They talked about the realignment of the intersection at Main and High Streets saying that it is a steep road. They indicated a possible bump out feature which puts the road above the sidewalk. They would lose some parking and might need a retaining wall, but might be able to provide seating, etc.

Councilor Sprague pondered which is more valuable; parking or open space.

Councilor Witham thinks this intersection is terribly problematic; it is high on his list to do and he like the notion of seating. He sees this as a big conversation and invites input from business owners.

Councilors discussed the drainage near the bridge as well as difficulties of access/exit in that area. Councilor Pepin suggested a turning lane which was well received.

Mr. Davidson stated again that he would like feedback, specifically about parking near City Hall.

There was discussion of landscaped features, with pavers and open areas near businesses that are easily maintained and have trees around the periphery.

City Manager Belmore introduced the subject of the poles in the downtown area.

Councilor Tapscott wondered if we could do underground utilities. He was told that there would be a very big cost to that option.

Councilor Sprague asked about replacing gas lines. He was told that they want that done prior to this work.

Councilor Donohue wondered if there would be any changes to the parking from Main to Market Street.

City Manager Belmore wondered about backing in everywhere.

Councilor Witham wondered about how tree work and landscaping is incorporated into this plan. The answer was that there is a contingency for minor landscaping.

Councilor Pepin just asked that trees not be planted under power lines; he wants the trees to grow correctly.

Mayor Spencer asked for comments by the public.

Brian Caple, Brian O'Connell and Jeff Pratt, three business owners who will be affected, all expressed a distinct request for parking.

LeRoy McGee, another business owner, thinks the angled parking is awful.

Greg Bakos of VHB felt there would be a benefit in continuity to having parallel parking ,saying that diagonal parking is hazardous. With parallel parking there is the added benefit of wider sidewalks.

City Manager Belmore wondered about the bump out at Main and High Street.

Mr. Bakos envisions a public space with seating, saying that if they use the right materials, they can do nice things.

Respectfully submitted,

Elise B. Brelis, Deputy City Clerk

CITY OF SOMERSWORTH
PUBLIC HEARING
6:45 P.M.

ORDINANCE NO. 9-13 ADOPT NEW CHAPTER 31 COMMUNITY
REVITALIZATION TAX RELIEF INCENTIVE

Dave Sharples, Director of Planning and Community Development, presented an overview of the new Chapter 31 Community Revitalization Tax Relief Incentive.

Mr. Sharples noted that the proposal is to adopt RSA 79E, which is consistent with the Master Plan. He said that the statute allows the City Council to grant tax relief for “underutilized structures in the downtown” for a specified number of years to promote economic development. This can be adopted either by resolution or by ordinance. We are opting for “ordinance.” The Council will determine if a structure qualifies, a covenant will be recorded. Once the tax relief period ends the structure will be taxed at the higher rate. The risk is that the area might be ready to develop anyway, but Mr. Sharples does not see that.

Brian Caple, 44 Market Street, thinks this ordinance was written for that property and he supports this.

Maddie DeSantis thanked the Council for her appointment to the Historic District Commission. She then read a note from Paul Goodwin who is currently in Rome. Mr. Goodwin interned with Dave Sharples and did research on RSA 79E. Mr. Goodwin sees this as an investment in towns which, among other things, will improve civic pride; he urges the Council to pass this Ordinance.

Emmett Soldati thinks this is a no-brainer ... that will let people know that the City is on their side. He thinks it will be great.

The public hearing was closed at 6:58